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## *Facsimile Transmittal*

**DATE:** January 19, 2005

**TO:** USPTO - AMENDMENT AF

**FAX :** 703-872-9306

**RE:** Application No: 09/771,210  
Filed: 1/24/01

**FROM:** Kevin T. Cheatham

**PHONE:** 858-845-8450  
**FAX** (858)658-2502

**Number of Pages Sent:** (including this transmittal cover sheet)  
**Attached hereto:** Petition to Revive, Request for Continued Prosecution

I hereby certify that this correspondence is sent VIA FACSIMILE to the  
Commissioner of Patents, ALEXANDRIA, VA 22313,  
703-872-9306, on:

1/19/05

(Date of Deposit)

Kevin T. Cheatham

(Name of the Person Making Deposit)

(Signature)

1/19/05

(Date of Signature)

/BY  
KENYON JENCKES  
REG. NO. 41,873

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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PTO/SB/30  
U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Section (b) of 35 U.S.C. § 133, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/771,210
Filing Date	1/24/01
First Named Inventor	Baaziz Achour
Group Art Unit	2686
Examiner Name	Ismael Quinoas
Attorney Docket Number	990082

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicants may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/39) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office #7 (Apr. 11, 2000), which extended RCE practice.

### 1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 12/8/04
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

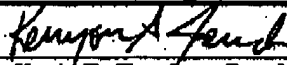
### 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other

### 3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 which the RCE is filed.


- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 17-0026
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.117)
- iii. ☐ Other
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Date	1/19/05	BY	Signature	
		<b>KENYON JENCKES</b>		Kevin T. Cheatham, Reg. No. 48,766
		<b>REG. NO. 41,873</b>		858-845-8450

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print Type)	Darla Kamedo		
Signature		Date	1/19/05

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